

The Odisha Gazette

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 1509 CUTTACK, MONDAY, JULY 30, 2012/SRAVANA 8, 1934

DEPARTMENT OF HIGHER EDUCATION

NOTIFICATION

The 16th July 2012

No. 18413—HE-FE-1(A)-POL-0063/2012-HE.—In pursuance of the powers conferred by sub-section (3) of Section 24 of the Odisha Universities Act, 1989 (Odisha Act 5 of 1989), the State Government do hereby frame the following rules, namely :—

GENERAL

1. Short Title and Commencement :

- (1) These rules may be called the Odisha Universities Employees' Pension Fund (Administration) Rules, 2012.
- (2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Application :

- (1) The provisions of these rules shall apply to the following categories of employees, namely :—
 - (a) Who have joined in University Services on or before 31-12-2004 against a regular post carrying a regular Scale of Pay.
 - (b) The regular employees of Central/State Government or Autonomous Body who were appointed in pensionable establishment prior to 1-1-2005 under the old Non-contributory Pension Rules/Schemes, on their permanent absorption/further appointment to the services under the University on or after 1-1-2005.
 - (c) Who were not in pensionable establishment prior to 31-12-2004 and who have joined the University against regular posts on or after 1-1-2005 will be covered under the New Pension Scheme (N.P.S.).

3. Definitions :

- (1) Unless there be something repugnant in the subject or context, the terms of these rules carry the meaning as under :—
 - (a) "Act" means the Odisha Universities Act, 1989.

- (b) "Bank" means any Public Sector Bank.
 - (c) "Branch Bank" means any Branch of any Public Sector Bank inside the country.
 - (d) "The Comptroller of Finance" means the officer as specified in Section 4 (1) of the Act.
 - (e) "Employee" means any person appointed in the service of the University but shall not include the person employed on contract, part-time or daily wage basis or work-charged employed under the project/scheme financed by U.G.C. or similar other bodies.
 - (f) "Finance Committee" means the Committee as provided in statute 161 (1) of the statutes.
 - (g) "Fund" means the University Employees Pension Fund.
 - (h) "General Fund" means the fund as provided in Section 26 of the Act.
 - (i) "Government" means Government of Odisha.
 - (j) "Life Certificate" means life certificate issued by the Authorised Officer of the concerned Bank with whom the pensioner has an account in terms of sub-rule (3) of Rule 6 of these rules.
 - (k) "New Pension Scheme" means New Restructured Contribution Pension Scheme applicable in respect of the employees of the University who entered into their services on or after 1-1-2005.
 - (l) "Payment Advice" means the Comptroller of Finance shall submit payment advice to the Bank consisting of list of pensioners/family pensioners with account number and amount payable to them.
 - (m) "Pensionary benefits" means Pension, Family Pension, Gratuity and Commuted Value of Pension.
 - (n) Pensionable Establishment—Teaching and non-teaching employees of Universities who have opted for pension scheme as provided in Statute 288 of Odisha Universities First Statute, 1990 and are under pensionable establishment.
 - (o) "Qualifying Service" means as provided in Statute 291.
 - (p) "Registrar" means the officer as specified in Section 4(1) of the Act.
 - (q) "State University" means an University formed by an Act of the State Legislature and funded by the Government.
 - (r) "Statutes" means the Odisha Universities First Statutes, 1990.
 - (s) "Syndicate" means the Syndicate of the concerned University.
 - (t) "University" means the University as specified in Section 3 (i) of the Act.
 - (u) "Vice-Chancellor" means the officer as specified in Section 4 (1) of the Act.
 - (v) "Year" means financial year commencing on the 1st day of April and ending on 31st day of March of the following calendar year.
- (2) Words and expressions used but not defined shall have the same meaning as respectively assigned to them in the Act and the Statutes.

ADMINISTRATION

4. Administration of the Fund :

- (1) Each University shall have a pension fund styled as the "University Employees Pension Fund" pre-fixing the name of the University.
- (2) The administration of the fund shall vest with the Syndicate. Subject to control by Syndicate, the Comptroller of Finance shall operate the fund in accordance with procedure as provided in these rules.
- (3) Purpose of the Fund—The fund shall be utilised for the purpose of defraying the pensionary benefits of employees of the University including their families.

OPERATION OF FUND

5. Deposit into the Fund and Computation of the Requirement of Funds for Pensionary benefits :

- (1) For the purpose of pension fund, the University shall have a Savings Bank Account with any Public Sector Bank in the name of the University Employees Pension Fund.
- (2) All moneys received for the purpose of pensionary benefits from whatever sources shall be deposited by the Comptroller of Finance in the account mentioned under sub-rule (1).
- (3) The Finance Committee shall, with the advice of the Comptroller of Finance, compute the requirement of funds for the pensionary benefits of the employees of the University each year and shall make adequate provisions in the fund to meet such requirements. The Comptroller of Finance shall propose the Government for allocation of funds as computed by the Finance Committee towards pensionary benefits in the annual Block Grant of the University.
- (4) The amount required for payment of pensionary benefits and as provided under the appropriate heads of the State Government in the annual Block Grant sanctioned for the University shall be drawn by the Comptroller of Finance and deposited in the account of the fund.
- (5) The Comptroller of Finance shall also deposit the amount contributed by the University to the Contributory Provident Fund together with interest accrued therein in respect of such employees as have switched over or deemed to have switched over from the Contributory Provident Fund Scheme to the pension scheme in the account of the fund.
- (6) In case there is insufficient balance in the fund to meet the pensionary requirement in any month on account of delay in the receipt of necessary grant from the Government, the Vice-Chancellor shall take steps to arrange funds from other sources to be adjusted on receipt of the Grant from the Government.

DISBURSEMENT FROM THE FUND

6. Pension Payment Order :

- (1) Unless otherwise provided in these rules the claim of pension/family pension, determination of the amount of pension/family pension, commuted value of pension and gratuity the principles embodied in the Odisha Civil Service (Pension) Rules, 1992 and Odisha Civil Services (Commutation of Pension) Rules, 1992 shall be applied.

For these purpose the words Government and Government Servant in the aforesaid rules shall imply the concerned University and University employees, respectively.

- (2) The Registrar shall process the pension papers of the employee in consultation with the Comptroller of Finance and place the same before the Vice-Chancellor for sanction well in advance of the date of superannuation of the employees. On the basis of the order of sanction by the Vice-Chancellor, the Comptroller of Finance shall issue the pension payment order for making payments.
- (3) Pensioner's Account with the Bank—It shall be compulsory for every pensioner/family pensioner to open a Savings Bank Account in any Bank convenient to him/her and intimate the account number with other relevant details to the concerned Bank under intimation to the Comptroller of Finance.
- (4) Payments Advice and action at the Bank level—At the end of every month the Comptroller of Finance shall send "Payment Advice" to the Bank in the form of a list of pensioners/ family pensioners showing the Bank Account number of each and the amount payable to each. The Bank, on the basis of such an advice shall credit the amount payable to a pensioner/family pensioner to his/her account with them.
- (5) Change of Address—In case the address or the Bank Account number of the pensioner/ family pensioner is changed, it shall be the responsibility of the pensioner to intimate the University about the change and the same shall be kept on record and intimated to the Bank immediately.
- (6) In case of death of pensioner/family pensioner, the fact shall be intimated to the University immediately by the legal heir of the pensioner or family pensioner.

7. Life Certificate :

Every pensioner/family pensioner shall have to furnish "Life Certificate", twice in a year in the months of May and November to the concerned University.

MISCELLANEOUS

8. Records & Registers :

The Comptroller of Finance shall maintain the following records and registers :—

- (i) Savings Bank Pass Book relating to the Fund.
- (ii) Accounts ledger showing deposits to the fund and expenditure therefrom.
- (iii) Payment Advice Register.
- (iv) Ledger containing the Savings Bank Account numbers of pensioners/family pensioners.
- (v) Ledger containing particulars of pensioners/family pensioners.
- (vi) Bill Book.
- (vii) The ledgers at (iii), (iv) and (v) *supra* shall be maintained in digital form.

9. Forms :

The forms as appended to the Odisha Civil Services (Pension) Rules, 1992 and to the Odisha Civil Services (Commutation of Pension) Rules, 1992 shall be used for respective purposes making changes wherever necessary to make them appropriate for the University.

10. Audit of Fund :

The Auditors duly authorised by the State Government (L.F.A.) shall have access to all registers and records maintained by the Comptroller of Finance relating to the Fund. For the purpose of such audit, the provisions of Section 23 of the Act shall apply.

11. Applicability to other State Universities :

These rules shall *mutatis mutandis* be made applicable to other State Universities as may be notified by Government from time to time.

12. Repeal & Savings :

- (a) The existing Employees Pension Fund (Administration) Rules of Utkal University, Berhampur University, Sambalpur University and Sri Jagannath Sanskrit University are hereby repealed.
- (b) Notwithstanding such repeal, the action taken, things done, orders made or notification issued under the said rules shall be deemed to have been done, made or issued under the respective provisions of these rules.

13. General Conditions of Terminal Benefits :

Save as otherwise in these Rules, provisions of Chapter V of Part XIV of the Odisha Universities First Statutes, 1990 shall apply in respect of terminal benefits as may be admissible to University employees.

14. Interpretation :

If any question arises as to the interpretation of these rules the decision of State Government shall be final.

By order of the Governor

A. SARANGI

Commissioner-cum-Secretary to Government